



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

ELISSA BETH JACOBS
Senior Corporation Counsel
phone: (212) 356-3540
fax: (212) 356-3509
ejacobs@law.nyc.gov

October 20, 2022

By ECF

Hon. Judge Broderick
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Moussa Diarra v. City of New York*, 16-cv-7075 (VSB)(ONW)

Your Honor:

I write on behalf of the City of New York, formerly a defendant in this matter, to respectfully request a *nunc pro tunc* extension of time to comply with the Court's Order for defendant to respond to plaintiff's request to reopen this matter by October 18, 2022. See ECF Nos. 275 through 278. As Your Honor is aware, this case was closed in 2018. Since then, the attorneys formerly assigned to defend the City in this matter have all left the office. While I have been monitoring the docket, as the case was closed, I did not put in a notice of appearance until today, and therefore was unaware of Your Honor's Order. I apologize for the oversight, which has since been corrected and should not reoccur.

In light of this, defendant is requesting a one week extension of time until next Thursday, October 27th, to respond to plaintiff. I am requesting this time because I am currently supervising a trial in front of Judge Kovner in the Eastern District¹ that I anticipate will continue until at least next Monday, October 24th. This extension will allow defendant time to prepare an adequate response in light of counsel's other obligations.

¹ *Joel Burnett aka. Kyle Friestat v. Daniel Gasperetti, et al.*, 17-CV-5870 (RPK)(LB)

Thank you for your consideration herein.

Sincerely,

/Elissa B. Jacobs

Elissa Beth Jacobs
Senior Corporation Counsel